

UNITED STATES DISTRICT COURT

for the

Western District of Texas

United States of America

v.

David RAMIREZ

XXX XXX 679

Case No: SA-21-MJ-7

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of December 7, 2020 in the county of Bexar in the
Western District of Texas, the defendant(s) violated:

*Code Section**Offense Description*

8 U.S.C. § 1326(a)

Illegal Reentry

Penalties: Maximum Penalties: 2 years confinement, \$250,000 Fine or
 Both; 1 year supervised release, \$100 mandatory special assessment.

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

☒ Continued on the attached sheet.*Carlos Ortiz**Complainant's signature*

Carlos Ortiz, Deportation Officer

Printed name and title

- ☐ Sworn to before me and signed in my presence.
☒ Sworn to telephonically and signed electronically.

Date: January 6, 2021 at 1:17pm*Elizabeth S. Chestney**Judge's signature*City and state: San Antonio, Texas

Honorable Elizabeth S. Chestney, U.S. Magistrate Judge

Printed name and title

AFFIDAVIT

Being duly sworn, I declare that the following is true and correct to the best of my knowledge.

My name is Carlos Ortiz, and I am a Deportation Officer with Immigration and Customs Enforcement ("ICE"), Enforcement Removal Operations ("ERO") with whom I have been employed since January 29, 2012. I am authorized by the United States Department of Homeland Security to enforce the Immigration Laws and Regulations of the United States or any other Laws or Regulations designated by the Attorney General or his successor, the Secretary of the Department of Homeland Security.

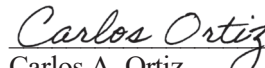
On December 7, 2020, David RAMIREZ ("RAMIREZ"), was encountered at the Bexar County Jail, in San Antonio, Texas, which is within the Western District of Texas, by ICE/ERO officers subsequent to his arrest for "Assault with Bodily Injury". After conducting preliminary immigration inquiries, ICE/ERO officers determined RAMIREZ to be an alien illegally present within the United States. Based on the aforementioned information, an immigration detainer was lodged on RAMIREZ on December 7, 2020.

On January 6, 2021, RAMIREZ was released from the Bexar County Jail and turned over to the ICE/ERO Criminal Alien Program, in San Antonio, Texas. RAMIREZ's fingerprints were submitted through immigration and FBI databases that verified his identity. The databases also revealed that RAMIREZ is a citizen or national of Honduras with assigned Alien Registration Number A-XXX-XXX-679. A review of the Enforce Alien Removal Module ("EARM"), a Department of Homeland Security database, for A-XXX-XXX-679 revealed that RAMIREZ is an alien who was removed from the United States to Honduras on or about April 11, 2018. Immigration databases also revealed that RAMIREZ has not been granted permission to reapply for admission from the Attorney General of the United States, or his successor, after deportation/removal.

RAMIREZ was advised about his right to a consular notification, and the Consulate of Honduras was notified about RAMIREZ's ICE arrest on January 6, 2021.

RAMIREZ will be assigned an additional immigration detainer executed and filed with the U.S. Marshals Service on January 6, 2021.

Based upon the information set forth above, there is probable cause to believe that RAMIREZ has illegally re-entered the United States in violation of 8 U.S.C. § 1326(a).



Carlos A. Ortiz
Deportation Officer
Immigration and Customs Enforcement

Subscribed and sworn before me the 6th day of January 2021.



HON. ELIZABETH S. CHESTNEY
UNITED STATES MAGISTRATE JUDGE